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 **MAY 03 2011**

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

ANTHONY W. PROFIT

CIVIL ACTION NO. 09-1838

VERSUS

JUDGE ROBERT G. JAMES

OUACHITA PARISH

MAGISTRATE JUDGE HAYES

MEMORANDUM ORDER

On April 21, 2010, the Court stayed this case, pending the resolution of Plaintiff's state court criminal proceedings [Doc. No. 38]. The Court instructed Plaintiff to file a motion asking the Court to lift the stay within thirty (30) days of the date the state court criminal proceedings against him concluded if he intended to proceed with his claims. *Id.* Plaintiff appealed the Court's April 21, 2010 order staying the case to the U.S. Court of Appeals for the Fifth Circuit, but Plaintiff's appeal was dismissed as frivolous on February 11, 2011 [Doc. No. 49].

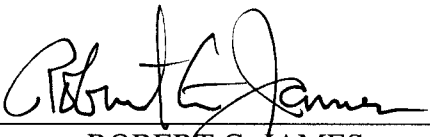
On April 4, 2011, Plaintiff filed a motion to lift the stay in this case [Doc. No. 50]. On April 7, 2011, the Court granted Plaintiff's motion and lifted the stayed so that the Court could obtain more information about the state court criminal proceedings against Plaintiff [Doc. No. 51]. The Court ordered Plaintiff to file, by April 27, 2011, (1) a memorandum detailing the status of his case, including when he was convicted and of what crime(s) and (2) copies of the relevant state court pleadings. *Id.*

Plaintiff's deadline has passed, and Plaintiff did not comply with the Court's April 7, 2011 Order. Thus, Plaintiff's action is subject to dismissal for failure to prosecute.

Rule 41(b) of the Federal Rules of Civil Procedure provides for involuntary dismissal of an action for “failure of the plaintiff to prosecute or to comply with these rules or any order of court.” Local Rule 41.3W similarly provides that a “civil action may be dismissed by the clerk of court or any judge of this court for lack of prosecution.”

Plaintiff must file the documents requested in the Court’s April 7, 2011 Order within fourteen (14) days of the issuance of this notice. If no filing is made within fourteen (14) days of the issuance of this notice, this civil action will be dismissed in its entirety.

MONROE, LOUISIANA, this 3 day of May, 2011.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE